

**Documentation of NEPA Adequacy (DNA)****U.S. Department of the Interior  
Bureau of Land Management****Preparing Office: Arctic Field Office****DOI-BLM-LLAK010-2014-0006-DNA**

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Serial/Lease/Case File Number: **Serial # FF096701**Project Title/Type of Action: **Right of Way Amendment**Applicant: **ConocoPhillips Alaska, Inc.**Address: **P.O. Box 100360  
Anchorage, Alaska 99510-0360**Date: **December 16, 2013**

Lands Involved (All Umiat Meridian):

<b>Township</b>	<b>Range</b>	<b>Section</b>	<b>Sections also in Original ROW</b>
<b>10 North</b>	<b>2 East</b>	<b>13, 23, 24, 26, 27, 34</b>	<b>13, 23, 24, 26, 27, 34</b>
<b>10 North</b>	<b>3 East</b>	<b>19, 30, 31</b>	<b>--</b>
<b>9 North</b>	<b>2 East</b>	<b>3,4, 8, 9, 10, 16, 17</b>	<b>8, 16, 17</b>
<b>9 North</b>	<b>3 East</b>	<b>5-8, 16-18, 20-21, 28</b>	<b>20-21, 28</b>

**A. Description of the Proposed Action and any applicable mitigation measures**

The proposed action is a request by the applicant, ConocoPhillips, Alaska (CPAI) to utilize additional lands for snow trail access to their winter 2013-2014 Midway Camp. The BLM Arctic Field Office completed an EA (DOI-BLM-LLAK010-2014-0001-EA) on December 11, 2013 for CPAI's 2013-2014 winter exploration activities. CPAI has submitted new access information for the snow trail to their Midway Camp. They are requesting the approval of approximately 16 more miles of snow trail access. Conoco proposed two spur trails off their currently-approved snow trail to the Midway Camp. Approval of the additional access routes would mean less travel time across the tundra during ice road construction. There are five stream crossings within the proposed route additions. Once the ice road is built travel across the snow trail would cease.

Applicable mitigation measures specific to the proposed action:

1. Provide the BLM Arctic Field Office with a weekly activities summary report. This report shall include all required reports identified below. The report shall be delivered in digital format every Monday through the applicable season(s) for the life of this project.
2. The permittee and their contractors must cooperate with the U.S. Fish and Wildlife Service and other designated Federal, State, or local agencies to monitor the impacts of their activities on polar bears.
3. The permittee or their contractors shall allow a U.S. Fish and Wildlife Service observer access to the activity site to monitor the impacts of the activity on polar bears.
4. Permittee and their contractors are required to obtain and adhere to the requirements found in the Letter of Authorization (LOA) for the incidental take of polar bears issued by the U.S. Fish and Wildlife Service, Marine Mammals Management Office. A copy of the LOA and any associated documents including a polar bear interaction plan, if required, must be submitted to the BLM prior to work starting on the ground in NPR-A.
5. Hazing of polar bears is prohibited unless authorized by the U.S. Fish and Wildlife Service, Marine Mammals Office.
6. The permittee and their contractors are required to review educational materials explaining polar bear denning habitat characteristics in order to enable them to recognize and avoid these areas while traveling and choosing camp sites (materials are available from the BLM).
7. All activities are prohibited within 1 mile of known polar bears dens (including those encountered in the course of permitted activities). Locations of known polar bear dens can be obtained from the U.S. Fish and Wildlife Service, Marine Mammals Management Office.
8. All observed polar bear dens must be reported to the U.S. Fish and Wildlife Service, Marine Mammals Management Office as soon as possible. The phone number for reporting is included in the Letter of Authorization from the U.S. Fish and Wildlife Service.
9. Should occupied dens be identified within one mile of activities, work in the immediate area will cease and the U.S. Fish and Wildlife Service must be contacted for guidance before proceeding with activities. The U.S. Fish and Wildlife Service will evaluate these instances on a case-by-case basis and determine the appropriate action.
10. The permittee or their contractors must designate a qualified individual or individuals to observe, record and report effects of the activity on polar bears to the U.S. Fish and Wildlife Service within 24 hours of visual observations. Evidence of polar bears, such as tracks, carcass, or dens will also be reported.
11. Every polar bear observed shall be recorded on a polar bear observation form. The permittee and their contractors shall obtain this form from the U.S. Fish and Wildlife Service.

12. The permittee or their contractors shall submit an annual polar bear observation report to the BLM within 60 days of completion of field operation. This report shall contain information on all evidence of polar bears, including active den locations, and the actions taken by the permittee on the adherence of these stipulations.
13. A set-back of ½ mile from all barrier island and bluff (coastal and river) habitats within designated polar bear critical habitat shall be maintained for all operations unless the U.S. Fish and Wildlife Service, Marine Mammals Management Office allows for mitigation of this stipulation through the Letter of Authorization (LOA) process. The LOA stipulations regarding setbacks shall override this stipulation and the LOA stipulation should be followed.
14. The Permittee or their contractors must follow the polar bear interaction guidelines provided in the document titled: “Polar Bear Interaction Guidelines”

The following permit stipulations implement practices that will further reduce the likelihood of impacts to fish habitat and water resources on BLM lands (adapted from Noel et al. 2008). CPAI shall:

15. Provide the BLM with any data collected at ice road or snow (Rolligon) trail stream crossings regarding ice thickness or depth of liquid water during the pioneering stage of construction.
16. Provide the BLM with an as-built of all ice roads, snow trails, and ice pads at the time the infrastructure is completed. Data should be in the form of ESRI shapefile(s) referencing the North American Datum of 1983 (NAD83).
17. Post a sign on the access road to each lake being utilized as a water source, clearly identifying the lake by its number.
18. Maintain a daily record of water removed as liquid or ice aggregate from each lake utilized as a water source and provide the BLM with this record weekly in conjunction with the progress report. A formatted spreadsheet provided by the BLM must be used for reporting.
19. Immediately cease pumping and notify the BLM within 24 hours if water removal exceeds the volume approved at any lake.
20. Notify the BLM within 24 hours of any observation of dead or injured fish on water source intake screens or in the hole being used for pumping. Temporarily cease pumping from that hole until additional preventative measures are taken to avoid further impacts to fish.
21. Provide the BLM with photographs documenting the condition of all ice road or snow trail channel crossings that have been “removed, breached, or slotted” (per BMP C-3) at the end of the winter operation period. Geographic coordinates (latitude/longitude) of a crossing must accompany each set of photos.
22. Provide the BLM any data or photographs collected at water source lakes regarding an

evaluation of spring recharge.

23. At the Ublutuooh River ice road crossing (IR2), remove as much of the ice bridge as is reasonable without damaging streambanks or the streambed at the end of operations.

24. At Lakes L9820 and L9832, when utilizing ice aggregate leave a minimum of one foot of ice on the lake bottom.

The following Stipulations and Best Management Practices from the 2013 NPR-A IAP/EIS ROD are also applicable to this project: A-1, A-2, A-3, A-4, A-5, A-7, A-8, A-9, A-12, B-1, B-2, C-1, C-2, C-3, C-4, E-9, E-11h, E-15, E-18, H-1, H-3, I-1, M-1, & M-2.

### **B. Land Use Plan Conformance**

CPAI leases are subject to the NE SIAP/EIS (USDOI BLM 2008a) and associated ROD (USDOI BLM 2008b) lease stipulations, and the BMPs from the NPR-A IAP/EIS (USDOI BLM 2012) and associated ROD (USDOI BLM 2013).

The proposed action is in conformance with the NE SIAP/EIS (USDOI BLM 2008a) and associated ROD (USDOI BLM 2008b), the NPR-A IAP/EIS (USDOI BLM 2012) and associated ROD (USDOI BLM 2013), the Naval Petroleum Reserves Product Act (NPRPA), Federal Land Policy Management Act (FLPMA), Alaska National Interest Lands Conservation Act (ANILCA), Endangered Species Act, Executive Order (EO) 11988, EO 11990, and terms of the federal leases.

### **C. Identify the applicable NEPA document(s) and other related documents that cover the proposed action.**

Environmental Assessment DOI-BLM-LLAK010-2014-0001-EA and the associated FONSI and Decision Record adequately cover all environmental issues associated with the proposed project.

The additional required analysis associated with the EA are also applicable to the current request:

- Essential Fish Habitat Assessment dated December 4, 2013
- Compliance with ANILCA Section 810 Evaluation and Findings dated November 15, 2013
- Assessment of Archaeological and Historic Resources dated December 6, 2013
- BLM Not Likely to adversely affect determination for spectacled and Steller's eider and polar bear dated November 11, 2013
- USFWS Concurrence of BLM determination dated November 25, 2013.

### **D. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Documentation of answer and explanation:

The proposed action is the same as the action analyzed in DOI-BLM-LLAK010-2014-0001-EA. The EA states that it covers access acreage within one mile of CPAIs proposed access trail. The two new access spurs are at a distance greater than a mile, but are within the same general area as the routes analyzed in the EA. There is not a substantial difference. The proposed activity on the trails is the same as that analyzed.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, resource values, and circumstances?**

Documentation of answer and explanation:

The range of alternatives contained in DOI-BLM-LLAK010-2014-0001-EA consisted of the proposed action and the no action alternative. Fisheries, Sociocultural and Subsistence were identified as having potential impacts resulting from the proposed action. The two spur trails would not change the potential impacts. Under No Action, the Bureau of Land Management would not grant the ROW amendment. The environmental situation and trends as described in the Affected Environment section of EA would continue as described. See Chapter III (Affected Environment) of DOI-BLM-LLAK010-2014-0001-EA for a more detailed profile of the current environmental situation for the issues that were considered to be potentially impacted by the proposed action.

**3. Is the existing analysis valid in light of any new information or circumstances (such as, Rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Documentation of answer and explanation:

The existing analysis is adequate for this proposal. There is no new information or circumstances since the DOI-BLM-LLAK010-2014-0001-EA was completed December 11, 2013.

**4. Are the direct, indirect and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Documentation of answer and explanation:

The direct, indirect and site-specific impacts identified in DOI-BLM-LLAK010-2014-0001-EA are the same as would be anticipated for the proposed action because the only difference is two spur trails off the already approved access route. The Interdisciplinary Team that reviewed the proposal for the EA also reviewed the current proposal. The direct, indirect and cumulative effects of the proposed action are similar to those evaluated in the DOI-BLM-LLAK010-2014-0001-EA.

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequately for the current proposed action?**

Documentation of answer and explanation:

The proposed action will be announced on the BLM Arctic Field Office website NEPA register, as was the DOI-BLM-LLAK010-2014-0001-EA. No public comments were received on the announcement of the original EA.

**E. Interdisciplinary Analysis:** Identify those team members conducting or participating in the preparation of this worksheet.

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
Donna Wixon	Natural Resource Specialist	Project Lead
Dave Yokel	Wildlife Biologist	Wildlife
Matthew Whitman	Fisheries Biologist	Fisheries
Richard Kemnitz	Hydrologist	Hydrology
Stacie McIntosh	Supervisory Social Scientist	Archeology
Stacey Fritz	Anthropologist	Subsistence
Debbie Nigro	Wildlife Biologist	Wildlife

Note: Refer to the EA for a complete list of the team members participating in the preparation of the original

**CONCLUSION**

☐ Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.

Note: If one or more of the criteria are not met, a conclusion of conformance and/or NEPA adequacy cannot be made and this box cannot be checked

\_\_\_\_\_  
/s/Donna Wixon, Project Lead, Arctic Field Office

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/s/Roger Sayre, NEPA Coordinator, Arctic Field Office

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/s/Lon Kelly, Manager, Arctic Field Office

12/16/2013

Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.